

UNITED STATES DISTRICT COURT

for the

Western District of Texas**FILED**

February 10, 2025

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

United States of America

v.

Denis Misael Hernandez-Hernandez

XXX XXX 866

*Defendant(s)*BY: CM
DEPUTYCase No. **SA:25-MJ-190****CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 7, 2025 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:*Code Section**Offense Description*

8 U.S.C. § 1326(a)

Illegal Reentry

Penalties: Maximum Penalties: 2 years confinement, \$250,000 Fine or
Both; 1 year supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.*Complainant's signature*

Ruben J. Rios, Deportation Officer

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: February 10, 2025*Judge's signature*City and state: San Antonio, Texas

Honorable Richard B. Farrer, U.S. Magistrate Judge

Printed name and title

Being duly sworn, I declare that the following is true and correct to the best of my knowledge: My name is Ruben J. Rios, and I am a Deportation Officer with Immigration and Customs Enforcement ("ICE")/Enforcement Removal Operations ("ERO"), with whom I have been employed since October 15, 2007. I am authorized by the United States Department of Homeland Security to enforce the Immigration Laws and Regulations of the United States, or any other Laws or Regulations designated by the Attorney General or his successor, the Secretary of the Department of Homeland Security.

On February 7, 2025, U.S. Marshals Service (USMS) deputies were conducting surveillance on the 1000 block of Kendalia of a known target.

At approximately 0755 hours, a male subject bearing the resemblance of the target, exited the house and entered a truck with other passengers. USMS deputies followed the truck as it departed. ICE/ERO officers assigned as USMS Task Force Officers were called to meet with USMS deputies to initiate contact with the occupants of the truck.

At approximately 0830 hours, the truck pulled into a QT gas station on the 6000 block of Old Pearsall Road in San Antonio, Texas which lies in the Western District of Texas.

USMS Task Force Officers wearing government issued body armor with clearly visible police markings approached the occupants who were standing outside of the truck. An ICE/ERO officer identified himself as an immigration officer and requested identification from the subjects. All provided identification.

One subject provided his name, Denis Misael HERNANDEZ-Hernandez, (hereafter, HERANDEZ) and date of birth, April 23, 1997. Neither of the subjects were the intended target that was being surveilled by USMS. Another subject bore a resemblance to the target and used the same address.

ICE/ERO officers called the Law Enforcement Support Center (LESC) to run records checks. It was discovered that HERNANDEZ had been previously removed from the United States.

At that point, ICE/ERO officers arrested HERNANDEZ for being in the United States illegally. HERNANDEZ did not comply with officers' commands and did not want to be restrained. Officers put HERNANDEZ to the ground and restrained him. HERNANDEZ was transported to the San Antonio ICE/ERO Resident Office for processing.

At the ICE/ERO Office, HERNANDEZ's fingerprints were enrolled and submitted through immigration and Federal Bureau of Investigations databases, which verified his identity. The databases revealed that HERNANDEZ is a citizen or national of Honduras with assigned Alien Registration Number A-XXX-XXX-866. A review of A-XXX-XXX-866 in the Enforce Alien Removal Module ("EARM"), a Department of Homeland Security database, revealed that HERNANDEZ is an alien who has been removed from the United States to Honduras on or about March 15, 2019, and, most recently on or about June 26, 2023.

Immigration databases revealed that HERNANDEZ has not been granted permission to reapply for admission from the Attorney General of the United States, or his successor, after his removal.

On February 7, 2025, the HERNANDEZ was informed of his right to a consular notification and was provided an opportunity to call the Consulate General of Honduras upon his arrest. On February 7, 2025, the Consulate General of Honduras was notified of HERNANDEZ's arrest. An immigration detainer will also be filed with the U.S. Marshals Service on February 10, 2025.



Ruben J. Rios
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn before me the 10th day of February 2025



HONORABLE RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE